



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

JOHN F. KRATTLI
County Counsel

September 3, 2013

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Agenda No. 7
06/25/13

The Honorable Board of Supervisors #16 of SEPTEMBER 3, 2013
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Re: **PROJECT NUMBER R2012-01612-(4)**
CONDITIONAL USE PERMIT NUMBER 2012-00087-(4)
FOURTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER

Dear Supervisors:

Your Board previously conducted a duly-noticed public hearing on the above-referenced permit. The permit is a request to establish a 3,900-square-foot billiard hall facility within an existing commercial center located at 18888 Labin Court, Unit B-208, in the unincorporated community of Rowland Heights, applied for by Cantohood, LLC. At the conclusion of the hearing, you indicated your intent to approve the permit with an additional condition, and instructed our office to prepare final findings and conditions for your consideration. Enclosed are findings and conditions for your consideration.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By *Elaine M. Lemke*

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

Richard D. Weiss
RICHARD D. WEISS
Chief Deputy

EML:vn
Enclosures

c: William T Fujioka, Chief Executive Officer
Sachi A. Hamai, Executive Clerk, Board of Supervisors

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NUMBER R2012-01612-(4)
CONDITIONAL USE PERMIT NUMBER 2012-00087-(4)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 2012-00087-(4) ("CUP") on June 25, 2013. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed hearing on the CUP on February 6, 2013, which was preceded by a duly-noticed public hearing on the CUP by a hearing officer on November 6, 2012.
2. The permittee, Cantohood, LLC ("permittee"), requests the CUP to authorize the operation of a billiard hall ("Project") in the C-3-BE (Unlimited Commercial, Billboard Exclusion) zone pursuant to Los Angeles County Code ("County Code") section 22.28.210.
3. The proposed billiard hall will be located within a newly established two-story, multi-tenant commercial center located at 18888 Labin Court, Unit B-208, in the unincorporated community of Rowland Heights. The proposed 3,900-square-foot facility will have an occupant load of 62 persons and thus requires 21 parking spaces. Food and beverages may be served incidental to the primary billiard hall use. No service of alcohol was proposed and will be prohibited by the CUP's conditions.
4. The subject property is zoned C-3-BE in the Puente Zoned District. Surrounding properties within a 500-foot radius are zoned as follows:

North: M-1.5-BE (Restricted Heavy Manufacturing, Billboard Exclusion);
South: C-3-BE;
East: C-3-BE, C-3, A-1-6,000 (Light Agricultural, 6,000-square-foot minimum lot size); and
West: R-3-12U (Limited Multiple Residence, 12 dwelling unit/acre maximum density).
5. Surrounding uses within a 500-foot radius of the commercial center are as follows:

North: State Route 60 ("Pomona Freeway"), a motel, and a shopping center;
South: A driving range;
East: A motel, a restaurant, other commercial uses, an automobile repair use, and single-family residences; and
West: A mobile home community.
6. Construction of the commercial center where the Project will be located was authorized on July 23, 2009, pursuant to Plot Plan No. 2008-00405-(4). On March 7, 2012, Plot Plan No. 2010-00980-(4) was approved to authorize a new four-level parking structure. On November 6, 2012, CUP No. 2012-00073-(4)

was approved to establish another tenant in the commercial center, a 6,800-square-foot karaoke center with an occupant load of 191 persons.

7. Billiard halls are permitted in the C-3 zone under section 22.28.210 of Title 22 of the County Code (Zoning Code), subject to the issuance of a conditional use permit pursuant to Part 1 of Chapter 22.56 of the Zoning Code. For entertainment, assembly, and dining uses, section 22.52.1110 of the Zoning Code requires one automobile parking space for every three persons based on the occupant load as determined by the County engineer. The Building and Safety Division of the Department of Public Works ("Public Works") determined that the occupant load for the billiard hall is 62 persons. Therefore, 21 parking spaces are required. These parking spaces will be available among the 618 existing and proposed parking spaces at the commercial center.
8. Prior to the public hearing on the Project, staff of the County Department of Regional Planning determined that the Project was exempt from the California Environmental Quality Act pursuant to the Class 1, Existing Facilities categorical exemption.
9. A duly-noticed public hearing was held on the CUP on November 6, 2012, before the hearing officer. Prior to the hearing, a letter was received from the Rowland Unified School District ("School District"), dated October 25, 2012. The School District expressed opposition to the proposed billiard hall, citing concerns that the proposed facility would provide an opportunity for students to skip school and visit the establishment. The School District also contended that the Project would affect traffic flow around the school, thus jeopardizing the safety of the students.
10. At the hearing held by the hearing officer, the permittee's representative testified in favor of the CUP and answered questions presented by the hearing officer. In response to the School District's opposition letter, the permittee volunteered to change its originally proposed operating hours from 10:00 a.m. to 2:00 a.m., to 2:00 p.m. to 2:00 a.m., to avoid conflicting with school operating hours. After all public testimony was heard, the hearing officer closed the public hearing and approved the CUP subject to the conditions recommended by staff and agreed to by the permittee's representative.
11. Pursuant to section 22.60.210 of the County Code, the hearing officer's decision was appealed to the Commission by a neighbor. The Commission held a duly-noticed public hearing on the appeal on February 6, 2013. At that Commission hearing, the appellant testified that he was concerned that the proposed business would have a negative impact on the community and students in the area, and could lead to an increase in crime. His testimony was followed by testimony from the permittee's representative. After the completion of testimony, the Commission discussed the merits of limiting the hours of operation of the Project, and concluded that a limit on the business' operating

hours would not be necessary in light of an added condition prohibiting the sale of alcohol at the Project site.

12. After closing the public hearing, the Commission sustained the decision of the hearing officer, denied the appeal, and modified the conditions of approval to remove the condition that limits the hours of operation and added a condition to prohibit alcohol sales at the project site.
13. Pursuant to section 22.60.210 of the County Code, the Commission's decision was appealed to the Board by the neighbor. The Board held a duly-noticed public hearing on the appeal on June 25, 2013. Only one person testified at the hearing, a representative of the permittee. At the conclusion of the hearing, the Board determined that the billiard hall's hours of operation should be limited consistent with similar establishments in the area, and thus added a condition to the CUP to restrict the operating hours of the billiard hall from 10:00 a.m. to 2:00 a.m. daily.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the public hearings by mail, newspaper, and property posting.
15. The Board finds that the Project is consistent with, and supports policies of, the County General Plan ("General Plan") and the Rowland Heights Community Plan ("Community Plan").
16. The Project site is located within the Commercial (C) land use category of the Community Plan. The Project is consistent with the permitted uses of the underlying land use category which is intended for retail, commercial, service, and office uses. The General Plan includes a policy to promote neighborhood commercial facilities that provide convenient goods and services to the community and that complement the community character through appropriate scale, design, and location controls. (Land Use Element: Ensure Compatibility of Development Policy No. 9, Page III-12.) The Project provides a convenient service to the surrounding community and complements the community character through appropriate location controls.
17. The Community Plan includes a policy to encourage the location of commercial and industrial structures along freeway and highway routes, where appropriate. (Noise-Policy No. 2, Page 29.) Consistent with that policy, the Project site is located directly south of the Pomona Freeway and is located off of Nogales Street, an existing major highway.
18. The proposed Project is located within a commercial center which is located adjacent to the Pomona Freeway to the north, commercial uses to the west, open space (driving range) to the south, and a mobile home community to the west. A 74-foot, 3-inch setback (which exceeds the 30-foot, 9-inch setback required by the Rowland Heights Community Standards District) separates the commercial

center from the neighboring mobile home community. The setback and the location of the proposed use within the interior of the commercial center ensure that the use will not create a noise problem for the surrounding residences.

19. The parking spaces on the western portion of the commercial center nearest to the mobile home community are primarily used by employees of the commercial center, and for deliveries. Use of this portion of the parking lot by patrons of the proposed billiard hall could potentially create a nuisance (light and noise) if automobiles are entering and exiting that portion of the parking lot. A condition of approval shall be included in this permit to prohibit use of these parking spaces to prevent such nuisance.
20. The Project site's location and design which buffers the proposed use from the adjacent residences and the proposed use's consistency with the Community Plan and General Plan, make it compatible with the surrounding neighborhood, with appropriate conditions.
21. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Board concurs with the conclusion of the Commission that a 10-year term for the requested CUP is appropriate to allow reevaluation of the compatibility of the Project with the surrounding community. In addition, the conditions of approval shall require that the billiard hall be inspected annually for compliance.
22. The Board finds that the proposed Project's orientation and location within the commercial center, the significant side-yard setback of the commercial center, and the proposed Project conditions regarding the operation of the facility reduce the likelihood that the Project will negatively affect the persons residing in the neighboring community.
23. The Board finds that the existing commercial center was constructed in compliance with the development standards in the Zoning Code.
24. The Board finds that the site is served by Labin Court, a fully improved collector street. Under the previous approval of the commercial center plot plan, the permittee is required to comply with the conditions of approval by Public Works for any necessary street improvements to accommodate the traffic generated by the commercial center.
25. The Board finds that there is adequate parking to accommodate the billiard hall. There is no expansion or new construction proposed apart from minor interior tenant improvements.
26. The Board considers the Categorical Exemption (Class 1—Existing Facilities) under CEQA, finds that Project qualifies for a Class I Categorical Exemption, and certifies that use of the exemption is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment. The Project does not fall within an

exception to any categorical exemption. Accordingly, the Board certifies the determination that the exemption is appropriate.

27. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD CONCLUDES:

- A. That the proposed use will be consistent with the adopted General Plan and Community Plan for the area.
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in the Zoning Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE THE BOARD OF SUPERVISORS:

1. Certifies that it determined at the close of the public hearing that the Project was exempt from the California Environmental Quality Act pursuant to the Class 1, Existing Facilities categorical exemption; and
2. Denies the appeal in this matter and approves Conditional Use Permit No. 2012-00087-(4), subject to the attached conditions.

CONDITIONS OF APPROVAL
PROJECT NUMBER R2012-01612-(4)
CONDITIONAL USE PERMIT NUMBER 2012-00087-(4)

1. This grant authorizes the establishment and maintenance of a billiard hall within an existing multi-tenant commercial building subject to the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 5, 6, 7, and 11 shall be effective immediately upon the date of final approval of this grant by the County.
4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to section 22.60.260 of the Los Angeles County Code ("County Code").
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code section 2.170.010.

7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void, and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. This grant shall terminate on the date that is 10 years from the date of final approval of this grant. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
10. This grant shall expire unless used within two years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development

undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$2,000. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for 10 annual inspections. Inspections shall be unannounced.

12. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.
13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of Title 22 of the County Code.
14. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
15. All development pursuant to this grant shall conform to the requirements of the County Department of Public Works ("Public Works").
16. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
18. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning, and that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.

The only exceptions shall be for seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

19. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
20. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, three copies of a modified Exhibit "A" shall be submitted to Regional Planning within 60 days of the date of final approval of this grant.
21. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SPECIFIC CONDITIONS

22. This grant shall authorize a billiard hall with a total occupancy not to exceed 62 persons.
23. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 3:1. The billiard hall has an occupant load of 191 persons, which requires not less than 21 spaces to be provided based on this 3:1 ratio. If the permittee changes the operation of the billiard hall so as to require less parking than the minimum requirement, the permittee shall submit an application for a Revised Exhibit "A" within 90 days of such occurrence.
24. If the billiard hall substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.
25. The permittee shall prohibit its patrons from parking on the western portion of the commercial center parking lot located adjacent to the mobile home residences.
26. Hours of operation shall be limited to 10:00 a.m. to 2:00 a.m., Monday through Sunday.
27. No signage is approved by this grant. In the event the permittee seeks signage at the site, a separate sign application shall be filed with Regional Planning for review and approval.

28. No alcohol shall be sold, served, or consumed at any time at or within the billiard hall.
29. Any noise associated with or generated from the billiard hall shall not be audible from the nearest residential uses.
30. There shall be no loitering permitted on the premises under the control of the permittee.
31. No dancing or dance floor is permitted on the premises under the control of the permittee.
32. There shall be no cover charge or prepayment fee for food and/or beverage service required for admission to the billiard hall.
33. The permittee shall comply with all conditions set forth in the attached Public Works letter dated March 29, 2010.

Attachment:

Public Works Letter dated March 29, 2010



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

CERTIFIED MAIL—RETURN RECEIPT REQUESTED

IN REPLY PLEASE
REFER TO FILE: **LD-3**

March 29, 2010

Mr. Bobby Liu
Pearl of the East, LLC
18401 East Arenth Avenue
City of Industry, CA 91748

Dear Mr. Liu:

**18888 LABIN COURT
ASSESSOR'S MAP BOOK NO. 8761, PAGE 11, PARCEL 18
PROJECT NO. R2008-00516
IN THE UNINCORPORATED COUNTY AREA OF ROWLAND HEIGHTS
TWO 2-STORY BUILDINGS FOR RETAIL AND OFFICE USE**

The Zoning Ordinance (Title 22 of the Los Angeles County Code) requires street dedication and improvements before any building or structure can be used on a lot that adjoins a highway, street, or alley. As part of the building permit, any right of way necessary for road widening of the half of the road adjoining the lot must be dedicated and any necessary road improvements must be constructed in conformity with the County of Los Angeles Department of Public Works' standards.

Your application on file for the construction of two 2-story buildings for retail and office use is subject to the provisions of the Zoning Ordinance. Therefore, before this site can be used, the requirements on the enclosed Agreement to Improve must be satisfied.

Please execute and return the enclosed Agreement to Improve to Public Works' Building and Safety Division (Southwest District office) prior to the issuance of your building permit. The signature on the document must be notarized. Please send a copy of the signed agreement to Public Works' Land Development Division, Subdivision Management Section.

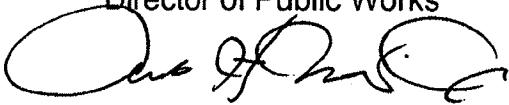
Mr. Bobbie Liu
March 29, 2010
Page 2

A copy of this letter has been sent to our Building and Safety Division and the Department of Regional Planning to clear the Agency Referral form for the requested road requirements for your building application.

A permit from Public Works' Construction Division and a street improvement plan will be required for any road work. It is suggested that any plans needed for obtaining the permit be submitted to Land Development Division, Road and Grading Section, as soon as possible to allow the maximum time for processing and approval. Additional information regarding procedures and requirements may be obtained by contacting Mrs. Patricia Constanza at (626) 458-4921 or by e-mail at pconstan@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works



pd DENNIS HUNTER, PLS PE
Assistant Deputy Director
Land Development Division

PL

PC:ca

P:\LDPUB\SUBMGTL PERMITS\R-3\LABINCT AT1.DOC

cc: Department of Regional Planning (Annie Lin)

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

and hereby agrees to construct the following road improvements as specified in the Zoning Ordinance in accordance with the standards of Public Works

1. Dedicate right of way for an off-set cul-de-sac bulb with a 53-foot radius along the property frontage on Labin Court to the satisfaction of Public Works. A processing fee is required.
2. Permission is granted to vacate excess right of way along the cul-de-sac bulb, along the property frontage on Labin Court to the satisfaction of Public Works. An application and fee must be submitted to Public Works to initiate the process.
3. Execute an encroachment covenant for the private maintenance of the catch basin lateral on Labin Court.
4. Construct an off-set cul-de-sac bulb with a 45-foot curb radius along the property frontage on Labin Court to the satisfaction of Public Works.
5. Construct concrete sidewalk on Labin Court along the property frontage to the satisfaction of Public Works.
6. Construct new driveways along Labin Court to meet current Americans with Disabilities Act requirements to the satisfaction of Public Works.
7. Plant street trees on Labin Court along the property frontage to the satisfaction of Public Works.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

8. As a condition to the approval of the subdivision of Parcel Map No. 26789, an updated traffic study is required upon the development of this parcel. Therefore, an approved traffic study is required and shall be submitted directly to Public Works for review and approval along with a review fee. For additional information, please contact Jeff Pletyak at (626) 300-4721 of Public Works' Traffic and Lighting Division. Comply with any additional requirements, if any, as a means of mitigating any traffic impacts as identified in the traffic study approved by Public Works.
9. Provide street lights on concrete poles, with underground wiring, along the property frontage on Labin Court, per approved Street Lighting Plans No. L 031-2009, to the satisfaction of Public Works.
 - a. The applicant shall comply with the conditions listed below in order for the lighting districts to pay for the future operation and maintenance of the street lights. The street lights shall be installed per approved plans prior to issuance of Certificate of Occupancy.
 - b. All street light in the project, or approved project phase, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, the lighting district can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year, provided all street lights have been energized and the developer has requested a transfer of billing at least by January 1 of the previous year. The transfer of billing could be delayed one or more year if the above conditions are not met.

March 29, 2010

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
AGREEMENT TO IMPROVE
ADJACENT HIGHWAYS, STREETS, OR ALLEYS**

The undersigned certifies that he/she is the owner in fee simple of the property described:

Assessor's Map Book No. 8761, page 11, Parcel 18

Legal Description

18888 Labin Court, in the unincorporated County area of Rowland Heights

Street Address

Project No. R2008-00516—Two 2-story Buildings for Retail and Office Use

Project Description

10. Repair and replace any improvements damaged during construction to the satisfaction of Public Works.

It is further agreed that the occupancy of building(s) to be constructed, altered, or enlarged, as shown on plans filed with Public Works' Building and Safety Division, will not be granted until all requirements are met and the required deeds have been executed and recorded. The owner also agrees to enter into a new secured agreement to guarantee the aforementioned road improvements should the County agree to issue occupancy prior to the completion of said road improvements.

**ALL SIGNATURES TO BE ACKNOWLEDGED
BEFORE A NOTARY PUBLIC**

Owner(s)

Mailing Address